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Res Gestae

SCHOOL OF LAW

UNIVERSITY OF MICHIGAN

VOL. III

APRIL, 1953

No. 4

PRESIDENT'S COLUMN

by JIM GAMBLE

On Monday, April 20, a general election will be held to choose the President and Vice-President of the Student Bar Association, the Junior and Senior class officers, and the Student Bar Commissioners of the Junior and Senior classes for the school year 1953-54. The President and Vice-President of the S.B.A., the Presidents and Student Bar Commissioners from each class, and the Editor-in-Chief of the Law Review, the Presiding Judge of the Case Clubs, and the President of the Lawyers Club comprise the membership of the Board of Student Commissioners. It is this Board that is the policy making body for the S.B.A., and it is upon the members of the Board, especially the elected ones, that the bulk of the responsibility falls for carrying out the S.B.A. activities. The degree of success that the S.B.A. will achieve in the conduct of its program will therefore vary directly with the amount of initiative and responsibility of the individual elected members of the Board. Although it numbers fourteen men at full strength, this is a small group when compared to the amount of work that must be done to have the S.B.A. function effectively. It is important then that the men you choose to represent you on this Board be those who have a high interest

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MEDICO - LEGAL TRAINING

Courtesy of ALSA Bulletin Service

Sparked by student interest, the University of Cincinnati's Colleges of Law and Medicine recently set up a novel interchange plan designed to help each group understand problems of the other.

Under the program, law students during one semester attend a weekly Medical College diagnostic clinic at Cincinnati General Hospital. During the next semester medical students visit the Law College to become trial witnesses in moot court cases. The purpose is to promote student familiarity with terminology, techniques and difficulties in dealing with medico-legal problems.

On the medical side the interchange program is a new undertaking on the Cincinnati campus. For the first time this year the Medical College's student council arranged for law students to attend clinical pathological conferences. Law students and clinic doctors are briefed beforehand with a medically written protocol on a description of the case. Law students, reading this protocol over, try to determine the patient's disease.

At the clinical conference, they are helped by medical students who explain medical terms used in the protocol and in the conference. These conferences deal with a direct study of the cause of death. Usually one doctor presents the case and several give their opinion concerning the patient's disease. At the close of the conference, autopsy findings are disclosed.

On the law side medical students participate in the law seniors' "practice court" cases. The doctors-to-be serve as members

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POSITIONS OPEN ON QUAD STAFF

Editors of **The Quad**, the Law School Yearbook, and the Student Bar Association, issued a call this week for Juniors and Freshmen who are interested in editing the 1953 yearbook.

Started last year, the yearbook contains articles and pictures depicting Law School activities plus pictures and home addresses of all graduating seniors. An added feature this year is the name and home address of all Juniors and Freshmen.

The yearbook is printed by an Ann Arbor printer using the photo off-set method with students doing the necessary paste-up work. In order that next year's yearbook can be produced with a minimum of effort Juniors and Freshmen who are interested are needed to learn some of the mechanics of its production this spring.

Those who are interested please contact Jim Gamble or any other SBA officer.

BAR REVIEW COURSES

Courtesy of ALSA Bulletin Service

It is common for today's law graduates to take special review courses in preparation for the bar examination of the state where they expect to practice. Whether the courses are effective or desirable is a frequently raised question.

The American Bar Association's Survey of the Legal Profession discussed the subject in a recently released study of "Bar Examinations and Requirements for Admission to the Bar". Referring to privately operated review courses, the report states that many deans of law schools favor them. The sentiment was expressed that the review courses relieve the law schools of teaching subjects which are covered by the examinations but which the school does not have in the curriculum. A majority of the bar examiners were reported to believe that review courses should be given by the law schools themselves.

After discussing various phases of the problem, the report presented the following recommendation, among others:

That the law schools seriously consider whether the time has not now arrived when they should, immediately after graduation, offer to their students a comprehensive survey of their law school work. If properly planned and developed, this comprehensive review could have a general educational value and would fill a need for which there is now

no adequate provision.

The Association of American Law Schools, as a basis for consideration of the problem, has made a survey of 101 law schools. They have found that ten schools operate review courses, all following graduation and without credit. The courses vary from three to twelve weeks in length, there being no charge, or the cost ranging upward to \$150 per student. In the past, two schools have operated pre-graduation review courses.

Of the 101 schools surveyed, 54 reported that privately operated review courses existed in their vicinities. These were three to five months in length and cost from \$30 to \$300 per student. Many of these courses run daily sessions of two to six hours and operate during the regular law schools semesters.

With specific reference to the recommendation of the Survey of the Legal Profession noted above, the report observed that 72 of the 101 law schools felt bar review courses can have educational value if properly taught. Thirty law schools favored law school operated bar review courses and nine favored a pre-graduation course.

At least one of the ALSA affiliated student bar associations operate a review course of its own for graduating seniors. A special report on its organization and operation will be released to all ALSA member associations very soon.

TRAINING—

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of the jury or witnesses in cases involving medical testimony. In such cases the medical testimony is given not only by "doctors" who attend the patient, but also by "doctors" who as experts testify as to incapacity, prognosis and other aspects of the injuries.

Medical and legal educators of the University feel it is important that doctors and lawyers understand each other. If doctors know the objectives of a lawyer who puts them through a searching cross examination, the result will be better medical evidence and more just court decisions.

1953 QUAD ON SALE

The 1953 QUAD may still be ordered. The book gives the student a permanent picture of the year's activities in the Law School. A complete student directory with addresses is included. Price is only \$3.50; for S.B.A. members \$3.25. The books will be available by May 22, but must be purchased **now**. Unless more are ordered, the yearbook will not be published again next year. Those interested in buying a copy should call or see George Glass, G-33, Law Club, or phone Larry Burke 3-2270.

RES GESTAE

Edited by the students of the University of Michigan Law School under the sponsorship of the Student Bar Association. Communications should be addressed to: RES GESTAE, Hutchins Hall, University of Michigan, Ann Arbor, Michigan. Members of the staff include:

RICHARD GOODMAN, Editor

ED KAHN, Layout

DON STEINER, Features

J. T. ROGERS, Business

JIM PATRICK

CHARLES WEXLER

GRANGER COOK

"THIS IS OUR OPINION"

by DONALD C. STEINER

Scene: The chambers of a state supreme court.

Time: A year or so before your casebook went to press.

JUSTICE A: This was really an interesting case.

CHIEF JUSTICE: Yes, it really was, but (CATCHING HIMSELF) we mustn't let our opinion reflect that. Tell me, boys, what did you think of the arguments?

JUSTICE B: Those eggs I had for breakfast this morning didn't agree with me, C.J., therefore, I didn't agree with the arguments advanced for the appellant.

JUSTICE C: I thought they were very sound myself. After all, appellant seemed like a nice enough chap.

CHIEF JUSTICE: Well, I think we've discussed this case enough now. Don't forget how crowded our docket is. Got a coin, A?

JUSTICE A: Yep, here's one that attorney for appellant dropped on the floor during the arguments. (ALL LAUGH HEARTILY)

(JUSTICE A HANDS THE COIN TO THE CHIEF JUSTICE WHO TOSSES IT INTO THE AIR.)

CHIEF JUSTICE: Appellant!

JUSTICE C: Ouch! What an unjust result!

JUSTICE B: So what! Hard cases make bad law, you know.

JUSTICE A: Aw hell! I dissent.

JUSTICE B: Chicken!

CHIEF JUSTICE: Anybody else? (Pause) Oh, come on, we want more than just a **couple** of opinions. Don't forget, West pays us for extra pages!

JUSTICE D: Okay, okay, I'll concur. I'll think of

some reasons later.

CHIEF JUSTICE: B, you write the majority. I've always admired your verbosity. Toss in lots of platitudes, plenty of public policy. Make it mushy! They eat it up.

JUSTICE B: Anything else, Boss?

CHIEF JUSTICE: Oh yeah, I almost forgot. There's been quite a lot of interest shown in this case by the academic world. We got a couple of amicus curiae that we didn't have time to read, you know. That means, they'll probably be putting the opinion into a lot of casebooks.

JUSTICE B: I get it, C.J., give it the special.

CHIEF JUSTICE: That's right. Really fix it up this time. Look up Latin phrases in the law dictionary until your fingers are blue from copying them down. And, all of you — whether you're concurring, dissenting or majoritying, make your opinions as prosiac as hell! Find those ambiguous words and **use** 'em! Be contradictory, repetitious. Work and work and work until the disorganization of your opinion has been perfected to a fine point. Nothing—do you hear me?—nothing in logical order. Throw in all the comon law rules you know so long as they are irrelevant—the more the better. You know, boys, the professors pay well for that sort of thing. Gives 'em a chance to show off a little bit in class when some student gets the wrong thing out of an opinion. (ALL SNICKER HAPPILY) Any questions? Okay, go to it, boys. And don't forget, it was appellant who won.

PRESIDENT—

(continued from page 1)

in working on S.B.A. activities; and these qualifications apply not only to prospective members of the Board, but also to all class officers, for they will be expected to work on S.B.A. projects when requested to do so, since their duties as class officers are generally light.

The full potential of the Student Bar Association has just hardly begun to be realized. Through it the student body can render great service to the community, viz., through a legal aid clinic; and through a cooperative program with the organized National, State, and Local Bar Associations — which has begun to be organized on a national scale this year by the American Law Student Association — it will serve as an effective transitional medium from the law school to participation in the organized Bar; not to mention the multitude of services that it may render to students while still in school. The extent to which this potential will be tapped depends entirely on the men that are elected to office on Monday: and that puts it squarely up to you!

MIGHTY OAKS FROM LITTLE ACORNS GROW

by D. C. STEINER

Innkeeper: "And what will it be for you five carpenters?"

Granger Cook (on the phone): "Do you sell waste paper?"

Mr. Schwegmann (to himself): "I'll be damned if I'll sell this whiskey at that price."

Man: "Pardon, old chap. I wonder if I might borrow a light so that I may set off my squib."

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LAW OFFICE MANAGEMENT

Many law graduates today are opening their own law offices instead of going to work for established firms. Others, after serving for a brief time as an associate of a firm, move on to their own office. In either case, the individual needs as much information as possible about the science of law office management.

The Law Office — A Problem in Organization

The first impression a client receives of an attorney is from the physical appearance of his office. Therefore, he should "strive for the effect of the 1949 Buick in 1952 — not too new or flashy, but not old and disreputable, of good quality, well preserved and cared for, and giving promise of comfortable use". This method will prevent the client being scared away by too expensive or too shabby an appearance.

The client should be promptly greeted by the receptionist or secretary as he enters the office and his business discovered. The attorney is to be immediately notified of his arrival and, if he can't be promptly seen, he is to be notified of the reasons for the delay. If he has no appointment, he should be asked if he would rather make one than wait. The receptionist should always be kept informed of the attorney's whereabouts to facilitate handling of clients and calls.

Every lawyer must depend on his library, but the young attorney often tends to over stock his library. A good rule to follow is to wait a year or so after reading a particularly enticing advertise-

ment and then, if you find that you are frequently traveling to a larger library to consult the particular work, buy; if not, forget it. Usually a set of the Codes, the digest for your region, and a set of the state reports will suffice for a small office. It is a good practice to build your own library, by keeping an index of all points of law covered previously by memoranda or otherwise. This way a back-log of often recurring problems will be built up and will save much time in the future.

The attorney should develop an understanding of the clerical help and be willing to explain to them points of law on which they are working and about which they are interested enough to inquire. This will develop in them an interest in their work and result in increased efficiency and devotion to duty.

You should choose secretaries and receptionists who will make favorable impressions on your clients. They should be business like and have a good memory for faces, since people like nothing better than to be called by name.

The Attorney's Routine and Client Treatment

Never seat a client so that the light is shining in his face, and always look at him when talking. You should have the secretary hold all phone calls possible during interviews. Ascertain all the facts at the first interview and discuss the fee, so the client will be able to estimate what your services will cost him. Your interviews should be planned so they will not waste the time of your client or your own time. A good idea is

to keep a clock on your desk where you can see it, but the client can't. This will eliminate continually looking at your watch, which is very distracting during a conversation.

When you make a mistake admit it readily. It is a good policy to carry an errors and omissions insurance policy, which can be procured for a very nominal charge. Attorneys must be extremely firm with clients whose requests transcend ethical or legal principles, in order to maintain and improve the standing of the profession.

When writing letters to clients, be brief and clear. Don't cite a long list of authorities, since the client will not be interested in an exhaustive discussion of authoritative references. An extra copy of all correspondence should be enclosed for the use of the addressee. You should send your client a copy of all letters written to other persons in handling his affairs.

MIGHTY ACORNS—

Nurse (to Mrs. William Aigler): "It's a boy."

Letter: "In reply to your ad in the Ann Arbor News, I am interested in applying for the position of director in the new Lawyers Club . . ."

Letter: "Dear Mr. William W. Cook: I am happy to inform you that you have been accepted for enrollment in the University of Michigan Law School.

Sincerely,

Secy. of Admissions"

Mr. Pierson: "My dear, I think I'll go fox hunting over near the Post farm this afternoon."

Mrs. Dawson: "My son John has taken such an interest in William Jennings Bryan's campaign."